

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

**ROBERT CYRUS,**

**Plaintiff,**

**v.**

**HYUNDAI MOTOR  
MANUFACTURING ALABAMA,  
LLC, et al.,**

**Defendants.**

---

**CASE NO.  
2:06-cv-00568-WKW-TFM**

**ROBERT CYRUS,**

**Plaintiff,**

**v.**

**HYUNDAI MOTOR  
MANUFACTURING ALABAMA,  
LLC,**

**Defendant.**

**CASE NO.  
2:07-CV-00144-ID-TFM**

**MOTION TO CONSOLIDATE**

COMES Defendant Hyundai Motor Manufacturing Alabama, LLC (“HMMA”), pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, and moves this Court to consolidate the two above styled actions, Robert Cyrus v. Hyundai Motor Manufacturing Alabama, LLC, et al. (2:06-cv-00568-WKW-TFM) and Robert Cyrus v. Hyundai Motor Manufacturing Alabama, LLC (2:07-cv-00144-ID-TFM) into one action. In support of this motion, HMMA states:

1. A full discussion of the reasons why consolidation of these actions is proper is provided in Defendant HMMA's Memorandum in Support of Its Motion to Consolidate, filed contemporaneously herewith.

2. Rule 42(a) of Federal Rule of Civil Procedure allows a District Court to consolidate actions when they involve common questions of law or fact.

3. These two cases involve common issues of both law and fact and are between a person and an entity that are parties to both lawsuits. Further, consolidating these actions will help avoid unnecessary costs and delay and will allow these actions to proceed in a more efficient manner.

**WHEREFORE**, Defendant HMMA respectfully requests that the Court order that the two above styled actions, Robert Cyrus v. Hyundai Motor Manufacturing Alabama, LLC, et al. (2:06-cv-00568-WKW-TFM) and Robert Cyrus v. Hyundai Motor Manufacturing Alabama, LLC (2:07-cv-00144-ID-TFM), be consolidated into one action pursuant to Rule 42(a) of the Federal Rules of Civil Procedure.

Respectfully submitted this 26th day of February, 2007.

/s/ Brian R. Bostick  
TIMOTHY A. PALMER (PAL009)  
J. TRENT SCOFIELD (SCO024)  
BRIAN R. BOSTICK (BOS015)  
**OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.**  
One Federal Place, Suite 1000  
1819 Fifth Avenue North  
Birmingham, AL 35203  
(205) 328-1900  
[brian.bostick@odnss.com](mailto:brian.bostick@odnss.com)  
Attorneys for Defendant Hyundai Motor  
Manufacturing Alabama, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26th day of February, 2007, I electronically filed the foregoing Motion to Consolidate with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Richard J. Stockham, III, Jeffrey A. Lee, and Wyndall A. Ivey.

/s/ Brian R. Bostick  
OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.  
One Federal Place, Suite 1000  
1819 Fifth Avenue North  
Birmingham, Alabama 35203  
Telephone: (205)328-1900  
Facsimile: (205)328-6000  
[brian.bostick@odnss.com](mailto:brian.bostick@odnss.com)

4551340.1